

**Remarks**

This application has been carefully reviewed in light of the Office Action mailed March 22, 2004. Claims 1-28 are pending. Applicants have not amended any of Claims 1-28 because, as Applicants demonstrate below, these claims are clearly allowable over the various rejections made by the Examiner. Applicants respectfully request reconsideration and allowance of all pending claims.

**I. The Claims are Allowable over the Rejections under 35 U.S.C. § 102**

The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Ebay.com ("*Ebay*"). The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Amazon.com ("*Amazon*"). Applicants respectfully disagree with each of these rejections.

As an example, Claim 1 recites:

A global content directory *for a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases*, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class;

one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from other seller databases in the distributed plurality of seller databases*; and

a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller database identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller database*.

*Ebay* and *Amazon* each fail to disclose, teach, or suggest various limitations recited in Claim 1.

**A. Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over Ebay**

*Ebay* discloses a list of product categories through which a user may navigate to find a desired category (e.g., a Sports Category). (See Pages 1-2) The user may then search within the desired category for a desired item (e.g., items relating to Roberto Clemente). (See Pages 2-5) *Ebay* also discloses returning search results for the search performed by the user, which may include a list of found items matching certain search terms entered by the user. (See Pages 3 and 5) A user may click on a particular found item, and the ebay.com web site will display certain information about the particular found item, including the seller of the particular found item. (See Page 6)

However, *Ebay* fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Ebay* fails to disclose, teach, or suggest “one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1. As illustrated by the archived screenshots of ebay.com (which make up the *Ebay* reference), seller information is displayed when a user selects a particular found item. Based on the *Ebay* screenshots, however, there is no way to know how the system disclosed in *Ebay* works or how it obtains the search results.

Forced to speculate as we are, it is likely that a seller wishing to offer an item for auction on ebay.com submits information about the seller and the item to ebay.com and ebay.com simply stores that information in *a single, consolidated database system associated with ebay.com* that stores information *for all sellers* offering items for auction on ebay.com. This is particularly likely in light of the fact that many, if not most, sellers offering items for auction on ebay.com are individuals offering one or possibly a few items for auction, not a whole database of items. In fact, ebay.com most likely performs a simple search (e.g., an SQL search) of *the single, consolidated database associated with ebay.com* that stores information *for all sellers*. Each item listing in the database of ebay.com may include a seller entry for the seller of the item,

category entries listing the categories for the item, and other information. Additionally, according to *Ebay*, the screenshot displaying details for a selected found item (e.g., *Ebay*, Page 6) also includes a link to other items offered by the seller. Again, forced to speculate as we are, it is likely that obtaining this information for display is a matter of simply performing another search of *the single, consolidated database associated with ebay.com* that stores information *for all sellers* offering items for auction on ebay.com. Thus, *Ebay* fails to disclose, teach, or suggest the plurality of seller databases, let alone “the plurality of distributed seller databases,” and even more clearly “*each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1

Applicants made substantially similar arguments to those presented above in the previous Response. In response to Applicants’ previous arguments in the previous Response, the Examiner indicates that *Ebay* discloses “one or more pointers associated with each product class in the plurality of product classes, each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,” as recited in Claim 1. (See Office Action, Pages 8-9)

First, the Examiner argues that the limitation “a plurality of seller databases”<sup>1</sup> is not positively claimed, that this limitation is considered by the Examiner to be an intended use of the global content directory, and that such intended use recitations do not impose any structural limitations upon the claimed apparatus that differentiates it from a prior art reference disclosing the structural limitations of the claim. (See Office Action, Page 9) The Examiner’s statements apparently raise a question of the patentable weight given to certain limitations recited in Claim 1.

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<sup>1</sup> In fact, Claim 1 recites “a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases.”

Applicants respectfully note that "[a] claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added); M.P.E.P. § 2131. Stated another way, "for anticipation under 35 U.S.C. 102, the reference must teach *every aspect* of the claimed invention either explicitly or impliedly." M.P.E.P. § 706.02 (emphasis added). In addition, "[t]he *elements must be arranged as required by the claim.*" M.P.E.P. § 2131 (emphasis added) referencing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); *see also Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Furthermore, "[t]he *identical invention* must be shown in as complete detail as is contained in the . . . claim." M.P.E.P. § 2131 citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) (emphasis added). Thus, Applicants respectfully submit that it is improper for the Examiner to simply ignore the limitations relating to "the plurality of seller databases" recited in Claim 1. As illustrated above, *Ebay* fails to disclose, either expressly or inherently, each and every limitation recited in Claim 1, as is required under the M.P.E.P. and governing Federal Circuit cases.

Additionally, the limitations "a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases" appear in the preamble as well as the body of Claim 1. The preamble must be given the effect of a limitation if it breathes life and meaning into the claim. *See* MPEP § 2111.02. In order to limit a claim, the preamble must be "essential to point out the invention defined by the claim. *See Kropa v. Robie*, 187 F.2d 150, 152 (C.C.P.A 1951). Applicants respectfully submit that limitation "the distributed plurality of seller databases" recited in the preamble and in the body of Claim 1 breathes life and meaning into Claim 1 and is essential to point out the invention defined by Claim 1.

Moreover, whether or not the "distributed plurality of seller databases" are positively recited in Claim 1, certain structures of Claim 1 that are unquestionably positively recited (e.g., the one or more pointers associated with each product class and the search interface), and certain functions performed with respect to those positively-recited structures, are further defined by or performed with respect to the distributed plurality of seller databases. For example, Claim 1 recites that "each pointer identif[ies] the seller database in the distributed plurality of seller

databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases.” Such recitation clearly serves to structurally define the one or more pointers recited in Claim 1. As another example, the search interface recited in Claim 1 is operable to communicate “a search query for product data to the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases.” Such recitation clearly states what the search interface is operable to do with respect to the distributed plurality of seller databases.

Second, the Examiner argues that “Ebay discloses a plurality of product classes (the different categories) having this pointer.” (Office Action, Page 9) The Examiner emphatically states:

It is common sense that if a person clicks on the sports class, it will appear classes or products related to sports, it would not appear a car or a house, etc. When a person finds the product that he was looking for, that product has his own pointer, that is different from the others and it is connected to the seller database (information or more products that the seller is offering). There is no speculation of how Ebay works.

(Office Action, Page 9)

Applicants again respectfully submit that there is in fact much speculation regarding how *Ebay* works, at least because there is no way that the Examiner can know how the system disclosed in *Ebay* works or how it obtains its search results, as Applicants have repeatedly discussed in both previous Responses and above. If the Examiner relies on “common knowledge” or “well known” art to modify *Ebay*, the Examiner should provide a reference pursuant to M.P.E.P. § 2144.03 to support such an argument. If the Examiner relies on personal knowledge to supply the required motivation or suggestion to modify *Ebay*, the Examiner should provide an affidavit supporting such facts pursuant to M.P.E.P. § 2144.03. Applicants respectfully submit that if such an reference or affidavit is not used by the Examiner, then the anticipation rejection currently made by the Examiner would be inappropriate. Furthermore,

Applicants reiterate that any seller database use by the system disclosed in *Ebay* is likely a ***single seller database for all sellers*** offering items for sale on ebay.com, as Applicants have repeatedly described. The Examiner has presented no evidence otherwise. Thus, *Ebay* fails to disclose, teach, or suggest “one or more pointers associated with each product class in the plurality of product classes, ***each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,***” as recited in Claim 1.

Third, the Examiner argues that “[a]s to applicants’ arguments that Ebay fails to disclose pointers, Ebay discloses the use of pointers. The Internet is based on pointers that define something from another thing.” (Office Action, Page 10; citations omitted) First, it is not clear to Applicants what the Examiner means (i.e. What thing do the pointers on which the Internet is purportedly based define from another thing?). In any event, as Applicants have repeatedly stated, ***even assuming for the sake of argument that ebay.com uses pointers as defined by the Examiner, there would still be no disclosure, teaching, or suggestion in Ebay*** that there are “one or more pointers associated with each product class in the plurality of product classes, ***each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,***” as recited in Claim 1. At best, the pointers used by ebay.com would simply indicate a memory address within the ***single, consolidated database associated with ebay.com*** that stores information ***for all sellers*** offering items for auction on ebay.com. It appears that instead of addressing this argument, the Examiner has merely repeatedly asserted that because *Ebay* discloses multiple sellers, *Ebay* discloses this limitation. Applicants have clearly demonstrated above (and in the previous Response) that these assertions are misplaced, insufficient, and simply incorrect.

Furthermore, with respect to the Examiner’s third argument, the Examiner’s apparent equation of multiple sellers with the distributed plurality of seller databases of Claim 1 cannot be

made. For example, a hypothetical system could include a plurality of sellers, but fail to include a plurality of seller databases. Moreover, the hypothetical system could include a plurality of sellers, but fail to include “a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases,” as recited in Claim 1. The information regarding the products offered by the multiple sellers may be stored in a *single, consolidated database associated with the hypothetical system* that stores information *for all sellers* offering items for sale.

Fourth, the Examiner states, “As to applicants’ arguments that Ebay performs a simple search (SQL search), instead of what is claimed, Ebay also offers this simple search instead of looking through the hierarchy.” (Office Action, Page 10; citations omitted) In fact, what Applicants stated in the previous Response was that since there is no way of knowing how the system disclosed in *Ebay* performs its search based solely on the screenshots of *Ebay*, ebay.com most likely performs a simple search (e.g., an SQL search) of *the single, consolidated database associated with ebay.com* that stores information *for all sellers*. As best as Applicants can glean from the Examiner’s statement, the Examiner proposes that ebay.com could perform either a SQL search or a search in response to selection of a product class in a hierarchy of product classes. First, Applicants reiterate yet again that there is no way for the Examiner to know this based on the screenshots of *Ebay*. Second, even if a search is performed in response to navigation through the hierarchy of product classes on ebay.com, that search is still very likely a simple search (e.g., an SQL search) of *the single, consolidated database associated with ebay.com* that stores information *for all sellers*. The Examiner has yet to provide evidence otherwise.

As another example of *Ebay*’s deficiencies with respect to Claim 1, *Ebay* fails to disclose, teach, or suggest “a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases*,” as recited in Claim 1. *Ebay* discloses a search entry blank and results for the search. However, as best as can be determined from the screenshots making up the *Ebay* reference, the search performed is likely of *a single*,

*consolidated database associated with ebay.com* that stores information *for all sellers* offering items for auction on ebay.com. There is simply no disclosure, teaching, or suggestion of “a plurality of seller databases,” let alone communicating “a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1.

Applicants made substantially similar arguments to those presented above in the previous Response. In response to Applicants' arguments in the previous Response, the Examiner states, “As to Applicants' arguments that Ebay fails to disclose a search interface, Ebay discloses this limitation. Ebay discloses a search interface (Search blank) that allows a user to find all the different products presented by the sellers according to the search.” (Office Action, Page 10) The Examiner's summary of Applicants' argument is incorrect. Rather than simply stating that *Ebay* fails to disclose, teach, or suggest a search interface, Appellants argued in the previous Response (and reiterated that argument above) that *Ebay* fails to disclose, teach, or suggest a search interface *as recited in Applicants' Claim 1*. In particular, Applicants argued in the previous Response (and reiterated such argument above) that *Ebay* fails to disclose, teach, or suggest “a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1. Thus, the mere fact that *Ebay* may disclose a search interface that allows a user to find all the different products presented by the sellers according to the search,” as stated by the Examiner, in no way discloses, teaches, or suggests “a plurality of seller databases,” let alone communicating “a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1.

For at least these reasons, the *Ebay* reference is clearly insufficient to support the Examiner's rejections under 35 U.S.C. § 102(b). Applicants respectfully request reconsideration



and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants also respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

**B. Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over *Amazon***

*Amazon* discloses certain features similar to those discussed above with reference to *Ebay*. *Amazon* discloses a list of product categories through which a user may navigate to find a desired category (e.g., Electronics), within which the user may search for a desired item (e.g., DVD players). (See Pages 1 and 3-4) *Amazon* also discloses returning search results for the search performed by the user, which may include a found item matching certain search terms entered by the user. (See Page 5) The found item returned in the search result (e.g., based on the search term "DVD") may be associated with a seller (e.g., Philips). (See Pages 4-6) Amazon.com displays various information related to the found item (See Pages 5-6), including sellers of the item other than amazon.com. (See Page 5)

However, like *Ebay*, *Amazon* fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Amazon* fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1. As illustrated by the archived screenshots of amazon.com (which make up the *Amazon* reference), a "More Buying Choices" section of *Amazon* (see Page 5) may be returned with the search results, which allows a user to view other sellers (i.e. other than *Amazon*) that offer the found product for sale. However, as discussed above with reference to *Ebay*, based on the *Amazon* screenshots, there is no way to know how the system disclosed in *Amazon* works or how it obtains the search results.

Forced to speculate as we are, it is likely that one of the “other sellers” wishing to offer an item for sale on amazon.com submits information about the seller and the item to amazon.com and amazon.com simply stores that information in *a single, consolidated database associated with amazon.com* that stores information *for all “other sellers”* offering items for sale on amazon.com. For example, a seller may submit to amazon.com a message indicating that the seller has a used Philips DVD player that the seller is willing to sell for \$130.00. Amazon.com then likely stores this in *the single, consolidated database associated with amazon.com* that stores information *for all “other sellers”* offering to sell items through amazon.com. In response to a search request for “More Buying Choices” for the Philips DVD740VR DVD/VCR Combo (see *Amazon*, Page 5), amazon.com most likely performs a simple search (e.g., an SQL search) of *a the single, consolidated database associated with amazon.com* that stores information *for all “other sellers.”* Each item listing in *the single, consolidated database associated with amazon.com* (e.g., the Philips DVD740VR DVD/VCR Combo) may include a seller entry for other sellers of the item, category entries listing the categories for the item (e.g., Electronics), and other information. But this type of search does not involve accessing any “*seller database in the distributed plurality of seller databases,*” the seller database “*being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1. There simply is no disclosure, teaching, or suggestion in *Amazon* of “one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1.

In response to Applicants’ arguments in the previous Response, the Examiner refers to his arguments made with reference to *Ebay*. (Office Action, Page 10) Thus, rather than burden the record by reiterating all of the arguments presented above with respect to *Ebay* and the Examiner’s responses to Applicants’ arguments presented in the previous Response, Applicants simply refer the Examiner’s attention to the arguments presented above with respect to *Ebay*.

As just one example, *even assuming for the sake of argument that amazon.com uses pointers as defined by the Examiner, there would still be no disclosure, teaching, or suggestion in Amazon* that there are “one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1. At best, the pointers used by amazon.com would simply indicate a memory address within the *single, consolidated database associated with amazon.com* that stores information *for all sellers* offering items for sale on amazon.com.

As another example, *Amazon* fails to disclose, teach, or suggest “a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1. As best as can be determined by the screenshots making up the *Amazon* reference, the search performed is likely of *a single, consolidated database associated with amazon.com* that stores information *for all sellers* offering items for sale on amazon.com. There is simply no disclosure, teaching, or suggestion of “a plurality of seller databases,” let alone communicating “a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1.

For at least these reasons, the *Amazon* reference is clearly insufficient to support the Examiner's rejections under 35 U.S.C. § 102(b). Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants also respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

**II. The Claims are Allowable Under 35 U.S.C. § 103 over the Proposed *Rajaraman-Ebay* Combination**

The Examiner rejects Claims 1-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,366,910 to Rajaraman, et al. ("*Rajaraman*") in view of *Ebay*. Applicants respectfully disagree.

*Rajaraman* discloses a method and system for general purpose searching (GPS), which allows a user to search for items that best match a search criteria. (Column 2, Lines 57-60) To facilitate the searching, the GPS system groups items into a classification hierarchy. The GPS system inputs a search criteria from a user, searches for the classifications of items that best match the search criteria, and displays those classifications in an order based on how well they match the search criteria. (Column 2, Line 65-Column 3, Line 3) The user can then select a displayed classification to view the sub-classifications within that classification or, if that classification has no sub-classification, the items within that classification. (Column 3, Lines 4-7)

*Rajaraman*, even when considered in combination with *Ebay*, fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Rajaraman* fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1. Figure 2 of *Rajaraman* makes clear that any product data is merely stored in *a single product database 201 associated with the system*. Nowhere does *Rajaraman* disclose a plurality of seller databases, much less that each pointer identifies a seller database in a distributed plurality of seller databases as recited in Claim 1. At best, *Rajaraman* discloses that the single product database 201 contains a department table for each department in an online store. (Column 5, Lines 65-66) The department may be considered the highest classification. (Column 5, Line 66 -Column 6, Line 1) Each department table contains one entry for each item

that is available to be purchased through the department of the online store. (Column 6, Lines 1-2; *see also* Figures 3A and 3B) The tables include a field that specifies the classification of each item within the classification hierarchy and other fields that describe each item. (Column 6, Lines 4-10) One of these fields may be a provider field. (Column 6, Lines 10-11) Thus, the items of *Rajaraman* are merely stored in a table associated with the system. Presumably, sellers submit information for entry into the tables associated with the system, although *Rajaraman* does not disclose how seller information is entered in the tables.

In Response to similar arguments presented in the previous Response, the Examiner acknowledges, and Applicants agree, that *Rajaraman* fails to disclose a plurality of seller databases. (Office Action, Page 7) In particular, the Examiner states, “However, *Rajaraman* fails to disclose a plurality of seller databases. In other words, that *Rajaraman* fails to disclose that different sellers. *Rajaraman* discloses a single database (Figure 2).” (Office Action, Page 7) Applicants are unclear as to the meaning of the Examiner’s second sentence in the above-quoted passage. If the Examiner intended to state that “In other words, *Rajaraman* fails to disclose [ . . . ] different sellers,” then the Examiner is essentially equating a failure to teach different sellers with a failure to disclose a plurality of seller databases. This equation cannot be made, as Applicants demonstrated above with reference to the *Ebay* reference. For example, as described above with reference to *Ebay*, a hypothetical system could include a plurality of sellers, but fail to include a plurality of seller databases. Even more so, the hypothetical system could include a plurality of sellers, but fail to include “a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases,” as recited in Claim 1. The information regarding the products offered by the multiple sellers may be stored in a ***single, consolidated database associated with the hypothetical system*** that stores information ***for all sellers*** offering items for sale.

In any event, the Examiner goes on to state, “*Ebay* teaches that it is known in the art to have multiple seller databases (each seller) grouped in a global content directory (site).” (Office Action, Page 7) Again, the Examiner equates the plurality of seller databases recited in Claim 1 to fact that multiple sellers can sell items in the system disclosed in *Ebay*. While Applicants agree that *Ebay* discloses multiple sellers, nowhere do the screenshots of *Ebay* disclose, teach, or

suggest “one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*” as recited in Claim 1. *Ebay* clearly fails to account for the deficiencies of *Rajaraman*.

As another example, *Rajaraman* fails to disclose, teach, or suggest “a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1. As discussed above, there is no disclosure, teaching, or suggestion in *Rajaraman* of “a distributed plurality of seller databases.” *Rajaraman* merely discloses searching its GPS index associated with the single product database for terms within its classification hierarchy that match a user’s search term. There is no disclosure, teaching, or suggestion in *Rajaraman* of any search of even one seller database in response to a user query -- just a search of the GPS index. There is simply no disclosure, teaching, or suggestion of “a plurality of seller databases,” let alone communicating “a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*” as recited in Claim 1. As demonstrated above, *Ebay* clearly fails to account for these deficiencies of *Rajaraman*.

For at least these reasons, the proposed *Rajaraman-Ebay* combination is clearly insufficient to support the Examiner’s rejections under 35 U.S.C. § 103(a). Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

All of Applicants' arguments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from *Ebay*, *Amazon*, *Rajaraman*, and the proposed *Rajaraman-Ebay* combination. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce in the Examiner's additional statements. The example distinctions discussed by Applicants are sufficient to overcome the anticipation and obviousness rejections.

**Conclusion**

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Christopher W. Kennerly, Attorney for Applicants, at the Examiner's convenience at (214) 953-6812.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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